

HOUSE BILL 1495
By Armstrong

AN ACT to amend Tennessee Code Annotated, Title 39, Chapter 14, Part 3; Section 39-14-408 and Title 40, Chapter 8, Part 1, relative to arson offenses, vandalism and rewards for the apprehension and conviction of persons committing certain offenses.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 39, Chapter 14, Part 3, is amended by adding the following as a new section:

Section ____.

(a) Arson of a place of worship is arson as defined in Tennessee Code Annotated, Section 39-14-301, where:

(1) The structure damaged, whether temporary or permanent in nature, was being used or was intended for use as a place of worship; and

(2) The defendant knew or had reason to know at the time of the offense that the structure was being used or was intended for use as a place of worship.

(b) As used in this section, "place of worship" includes any structure that has in whole or in part been approved by the state board of equalization for property tax exemption pursuant to Tennessee Code Annotated, Section 67-5-212, because of such structure's use for religious purposes.

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(c) Arson of a place of worship is a Class B felony.

SECTION 2. Tennessee Code Annotated, Section 39-14-408, is amended by adding the following new subsection (c) and by relettering present subsection (c) accordingly:

(c)(1) It is an enhancement factor by which the court may increase a defendant's sentence within the appropriate range that the damage or destruction was caused to a structure, whether temporary or permanent in nature, that was being used or was intended for use as a place of worship.

(2) As used in this subsection, "place of worship" includes any structure that has in whole or in part been approved by the state board of equalization for property tax exemption pursuant to Tennessee Code Annotated, Section 67-5-212, because of such structure's use for religious purposes.

SECTION 3. Tennessee Code Annotated, Section 40-8-101, is amended by deleting the section in its entirety and substituting instead the following:

(a) The governor is authorized to offer a reward not to exceed fifty thousand dollars (\$50,000) for information leading to the apprehension, arrest and conviction of a person or persons who have committed, attempted to commit or conspired to commit a criminal offense in this state. The fifty thousand dollar (\$50,000) reward maximum imposed by this section shall apply only to state appropriated funds. The governor may increase the amount of any reward offered by use of funds from the "Reward Pool Fund" created in this part.

(b) When the governor offers a reward pursuant to this section, the governor may place any reasonable conditions upon collection of the reward as the governor deems advisable or necessary.

SECTION 4. Tennessee Code Annotated, Title 40, Chapter 8, Part 1, is amended by adding the following as new section:

The governor is authorized to establish and administer a "Reward Pool Fund."

All monetary donations or gifts made by private citizens and corporations for the purpose of offering a reward or enhancing a state funded reward offered pursuant to Tennessee Code Annotated, Section 40-8-101, for information leading to the apprehension, arrest and conviction of a person or persons who have committed, attempted to commit or conspired to commit a criminal offense in this state shall be deposited in such fund. The governor shall have the sole discretion to determine if and how much of such fund shall be offered in a particular criminal case. However, if the donor places any lawful restrictions or instructions on use of the donation at the time it is given, such restrictions or instructions shall be honored.

SECTION 5. This act shall take effect upon becoming a law, the public welfare requiring it.